

21596. Misbranding and alleged adulteration of A-Vol Tablets. U. S. v. 1 Large, 22 Medium, and 174 Small Bottles of A-Vol Tablets. Default decree of destruction. (F. & D. no. 31017. Sample nos. 42847-A, 42848-A, 42849-A.)

Analysis of the drug preparation, A-Vol Tablets, showed that the article contained considerably less than $2\frac{1}{2}$ grains of acetphenetidin per tablet, the amount declared on the label. The labeling of portions of the article also bore unwarranted curative and therapeutic claims.

On August 26, 1933, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1 large, 22 medium, and 174 small bottles of A-Vol Tablets at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about May 15, 1933, by the D. P. C. Laboratories, Holton, Kans., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that the tablets contained 1.3 grains to 1.5 grains of acetphenetidin each.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Two and one-half Grs. acetphenetidin."

Misbranding was alleged for the reason that the statement on the label, "Two and one-half Grs. acetphenetidin", was false and misleading. Misbranding was alleged for the further reason that the statement on the cartons of the medium and large packages, regarding the curative or therapeutic effects of the article, "Tends to relieve pain", was false and fraudulent.

On November 13, 1933, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

M. L. WILSON, Acting Secretary of Agriculture.

21597. Misbranding of Iodine Crumble. U. S. v. Twenty-three 1-Pound Boxes and Nine 5-Pound Boxes of Iodine Crumble. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31096. Sample no. 50861-A.)

This case involved a drug preparation known as Iodine Crumble, labeled to convey the impression that it was valuable as a source of iodine. Analysis showed that the article contained no uncombined iodine, that its principal active ingredients were other drugs, and that it contained a materially greater percentage of active (and potentially harmful) ingredients than was declared on the label. The label also bore unwarranted curative and therapeutic claims.

On or about September 20, 1933, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of twenty-three 1-pound boxes and nine 5-pound boxes of Iodine Crumble at Denver, Colo., consigned by the Pacific Laboratories, Inc., Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about August 12, 1933, from Los Angeles, Calif., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of calcium carbonate, small proportions of phenolphthalein, sulphur, and a mercury compound (mercury 1.3 percent), and iodine in a combined form. No free iodine was present.

It was alleged in the libel that the article was misbranded in that the name "Iodine Crumble", and the statement on the package, "Active ingredient .30 percent. Inert ingredients 99.70 percent", were false and misleading, in view of the composition of the product. Misbranding was alleged for the further reason that the statement on the package, "For round (ascardia) and tape worms in poultry", was false and fraudulent.

On November 27, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, Acting Secretary of Agriculture.

21598. Misbranding of Wilson's Neuropathic Drops, Winsol Sanalt, and Winsol Corievo. U. S. v. Winsol, Inc. Plea of nolo contendere. Fine, \$25. (F. & D. no. 29357. I. S. nos. 42730, 42761, 43204, 43210.)

Examination of the drug preparations involved in this case disclosed that they contained no ingredients or combinations of ingredients capable of pro-

ducing certain curative and therapeutic effects claimed in the labelings. The Winsol Sanalt was represented to be composed of vegetable substances, whereas it was largely composed of magnesium sulphate, a mineral substance.

On March 18, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Winsol, Inc., a corporation, Boston, Mass., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about May 16, 1931, and September 10, 1931, from the State of Massachusetts into the State of Ohio, of a quantity of Winsol Corlevo and Winsol Sanalt, respectively, and on or about November 16, December 1, and December 18, 1931, from the State of Massachusetts into the State of New York, of quantities of Wilson's Neuropathic Drops, which products were misbranded.

Analyses of samples of the articles by this Department showed that the Neuropathic Drops consisted essentially of capsicum oleoresin, volatile oils, including camphor and a mint oil, alcohol, and water; that the Sanalt Tonic consisted essentially of magnesium sulphate (17.25 grams per 100 milliliters), malt extract, extracts of plant drugs, including licorice and nux vomica, volatile oils, including methyl salicylate, alcohol, and water; and that the Corlevo consisted essentially of extracts of plant drugs containing alkaloids and valeric acid, sugar, alcohol, and water.

It was alleged in the information that the Wilson's Neuropathic Drops were misbranded in that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing on the bottle label, wrapper, and an accompanying circular, falsely and fraudulently represented that the article was effective as a treatment, remedy, and cure for neuropathic ailments, chills, cramps, internal pains, cholera morbus, and acute indigestion; effective to remove many forms of internal and external inflammation; effective to promptly remove pain both external and internal; effective to cure pain; and effective as a reliable and efficient remedy for neuropathic ailments, colic, cramps, indolent sores, rheumatism, and other local aches and pains. Misbranding of the Winsol Sanalt was alleged for the reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing on the bottles and cartons and in the circular, falsely and fraudulently represented that the article was effective to operate upon the many secretive and excretive organs and help to produce a gradual change in the fluids of the system, to renovate the blood, and to free it from impurities; effective as a treatment for cases of general debility and prostration of the nervous system; effective as a treatment, remedy, and cure for that tired feeling and ailments caused or aggravated by constipation; effective to cleanse the blood, regulate the secretions, and tone up the system; and effective as a valuable remedy for the treatment of indigestion, jaundice, general debility, palpitation of the heart, piles, scrofula, obstinate cutaneous eruptions, prostration of the nervous system, sores and ulcers, dyspepsia, gout, and inflammation of the liver and kidneys. Misbranding of the Winsol Corlevo was alleged for the reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing on the bottles and cartons and in the circular, falsely and fraudulently represented that the article was effective to exert a direct influence on the uterus and of special value in the treatment of atony and loss of tone of the uterus, and all functional derangements of the reproductive organs; effective as highly beneficial to persons subject to cramps and convulsions during the period of gestation or at the time of parturition; effective as a preventive of such attacks; and effective as a medicine for the ills peculiar to women, and as a treatment of disorders attending the female during the menstrual period and for all other ailments which accompany, or are directly traceable to, that period. Misbranding of the Winsol Sanalt was alleged for the further reason that that the statement, "This preparation contains the extracts of the most valuable vegetable alteratives", borne on the cartons and circulars, was false and misleading, since it represented that the article was prepared from vegetable substances, whereas it was largely prepared from magnesium sulphate, a mineral substance.

On July 10, 1933, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

M. L. WILSON, *Acting Secretary of Agriculture,*